



महाराष्ट्र शासन राजपत्र

असाधारण भाग एक-कोकण विभागीय पुरवणी

वर्ष ११, अंक १५]

बुधवार, एप्रिल २, २०२५/चैत्र १२, शके १९४७

[पृष्ठ ६, किंमत : रुपये ११.००

असाधारण क्रमांक २१

प्राधिकृत प्रकाशन

नगर विकास विभाग

मंत्रालय, मुंबई ४०० ०३२, दिनांक २८ मार्च २०२५

सूचना

महाराष्ट्र प्रादेशिक व नगररचना अधिनियम, १९६६.

क्रमांक टीपीबी-४३१९/३०४/प्र.क्र.१३/२०२२/नवि-११.—ज्याअर्थी, महाराष्ट्र प्रादेशिक व नगररचना अधिनियम, १९६६ (यापुढे ज्याचा उल्लेख “उक्त अधिनियम” असा करणेत आलेला आहे.) च्या तरतुदीनुसार बृहन्मुंबई महानगरपालिका त्यांचे अधिकार क्षेत्राकरीता (यापुढे ज्याचा उल्लेख “उक्त महानगरपालिका” असा करणेत आलेला आहे.) नियोजन प्राधिकरण आहे ;

आणि ज्याअर्थी, उक्त अधिनियमाच्या कलम ३१, पोट-कलम (१) अन्वये प्राप्त अधिकारांचा वापर करुन राज्य शासनाने अधिसूचना क्रमांक टीपीबी-४३१७/६२९/प्र.क्र.११८/२०१७/वि.यो./नवि-११, दिनांक ८ मे २०१८ (यापुढे ज्याचा उल्लेख “उक्त अधिसूचना” असा करणेत आलेला आहे) द्वारे बृहन्मुंबई प्रारुप विकास योजना-२०३४ सह विकास नियंत्रण व प्रोत्साहन नियमावली-२०३४ ला (यापुढे ज्याचा उल्लेख “उक्त नियमावली” असा करणेत आलेला आहे) उक्त अधिसूचनेसोबतचे परिशिष्ट-ब मध्ये दर्शविलेले सारभूत स्वरुपाचे फेरबदल (ई.पी.) वगळून उक्त अधिसूचनेसोबतचे परिशिष्ट-अ मध्ये दर्शविलेल्या सुधारणेसह मंजूरी दिली आहे. आणि ज्याअर्थी शासनाने उक्त अधिसूचनेत समक्रमांकाचे शुद्धीपत्रक दिनांक २२ जून २०१८ रोजी निर्गमित केले आहे ; आणि ज्याअर्थी, त्यानंतर उक्त अधिसूचनेस शासनाने समक्रमांकाचे शुद्धीपत्रक व पुरकपत्र दिनांक २९ जून २०१८ रोजी पारित केले असून सदर शुद्धीपत्रक व पुरकपत्र **महाराष्ट्र शासनाच्या राजपत्रात** दिनांक ३० जून २०१८ रोजी प्रसिध्द करण्यात आले आहे ; आणि ज्याअर्थी उक्त नियमावली, दिनांक १ सप्टेंबर २०१८ पासून अंमलात आली आहे ; आणि ज्याअर्थी, शासनाने दिनांक २१ सप्टेंबर २०१८ रोजीच्या अधिसूचनेद्वारे उक्त नियमावली मधील सारभूत स्वरुपाचे बदल ईपी-१ ते ईपी-१६८ ला (ठराविक ईपी व निर्णयार्थ प्रलंबित ठेवलेल्या ठराविक तरतुदी वगळून) मंजूरी प्रदान केली आहे ; आणि ज्याअर्थी, उक्त मंजूरीच्या अधिसूचनेत आणि मंजूर तरतुदीमध्ये टंकलेखनाच्या त्रुटी व चुका तसेच उक्त नियमावली-२०३४ मधील काही तरतुदीच्या अर्थबोधाची स्पष्टता करून सुसंगती आणणे याकरिता शासनाने दिनांक १२ नोव्हेंबर २०१८ रोजी शुद्धीपत्रक निर्गमित केले आहे ;

आणि ज्याअर्थी, उक्त महानगरपालिका क्षेत्रामधील छत्रपती शिवाजी महाराज विमानतळाच्या फनेल झोन मधील उंचीचे निर्बंधांमुळे बाधित इमारतींचे पुनर्विकासाबाबत स्थानिक लोकप्रतिनिधी व नागरीकांकडून विनंती करण्यात आल्यानुसार उक्त महानगरपालिकेच्या तत्कालिन आयुक्त, यांनी दिनांक १२ डिसेंबर २०१८ रोजी समिती गठीत केली होती ; आणि ज्याअर्थी, सदर समितीने त्यांच्या अहवाल उक्त महानगरपालिकेस सादर केला असून त्या अनुषंगाने उक्त महानगरपालिकेचे दिनांक ९ सप्टेंबर २०१९ रोजीचे पत्र शासन नगर विकास विभागाकडे प्राप्त झाले आहे ; आणि ज्याअर्थी सदर पत्राचे अनुषंगाने नगररचना संचालनालयाचे अभिप्राय दिनांक ३० डिसेंबर २०२० रोजीच्या पत्राद्वारे शासन नगरविकास विभागाकडे प्राप्त झाले आहे ;

आणि ज्याअर्थी, उक्त नियमावलीत या सूचनेसोबतच्या परिशिष्ट मध्ये नमूद केल्याप्रमाणे उक्त महानगरपालिका क्षेत्रातील विमानतळ फनेल झोन तसेच अशा प्रकारे इतर निर्बंध असल्यामुळे विकासास निर्बंध असलेल्या क्षेत्राचा पुनर्विकास करणे शक्य व्हावे याकरीता उक्त नियमावली चे विनियम ३३ मध्ये नव्याने खंड २६ अंतर्भूत करणे आवश्यक आहे (यापुढे ज्याचा उल्लेख “ प्रस्तावित फेरबदल ” असा करण्यात आलेला आहे) असे शासनाचे मत झाले आहे ;

आणि त्याअर्थी, उपरोक्त परिस्थिती आणि वस्तुस्थिती विचारात घेता आणि उक्त अधिनियमाच्या कलम ३७ च्या पोट-कलम (१कक) अन्वये प्राप्त अधिकार आणि त्या संदर्भातील सर्व शक्तींचा वापर करून, शासन याद्वारे प्रस्तावित फेरबदलाविषयी उक्त अधिनियमाच्या कलम ३७, पोट-कलम (१कक) चे खंड(क) नुसार कोणत्याही व्यक्तीकडून हरकती / सूचना मागविण्यासाठी तसेच संभाव्य बाधित होणाऱ्या व्यक्तींच्या माहितीसाठी सदर सूचना प्रसिद्ध करीत आहे. शासनाकडून असेही कळविणेत येत आहे की, सोबतचे परिशिष्टात नमूद प्रस्तावित फेरबदलाविषयी कोणत्याही हरकती / सूचना **महाराष्ट्र शासन राजपत्रात** सदर सूचना प्रसिद्ध झाल्याच्या दिनांकापासून एक महिन्याच्या आत उपसंचालक, नगररचना, बृहन्मुंबई यांचेकडे इन्सा हटमेंटस, ई-ब्लॉक, आझाद मैदान, महापालिका मार्ग, मुंबई ४०० ००१ या कार्यालयाचे पत्त्यावर पाठविण्यात याव्यात. सदर प्राप्त हरकती / सूचनांवर सुनावणी देवून तसेच लागू असेल त्याप्रमाणे उक्त महानगरपालिकेचे म्हणणे घेवून त्यावरील अहवाल शासनास सादर करण्यासाठी उपसंचालक, नगररचना, बृहन्मुंबई यांना शासनाचे वतीने “अधिकारी ” म्हणून प्राधिकृत करण्यात येत असून त्यांच्याकडे सदरच्या कालावधीत प्राप्त होणाऱ्या हरकती/सूचना यावर उक्त अधिनियमाच्या कलम ३७ च्या पोट-कलम (१कक) अन्वये कार्यवाही करण्यात येईल ;

उक्त अधिनियमाचे कलम ३७(१कक) अन्वये सदर फेरबदलाची सूचना महाराष्ट्र शासनाच्या www.maharashtra.gov.in (कायदे /नियम) या वेबसाईटवर देखील उपलब्ध करण्यात आले आहे.

परिशिष्ट

शासन नगरविकास विभागाकडील सूचना क्रमांक टीपीबी-४३१९/३०४/प्र.क्र.१३/२०२२/नवि-११, दिनांक २८ मार्च, २०२५ सोबत वाचावयाचे परिशिष्ट.

प्रस्तावित फेरबदल

The following New provision in Regulation 33 of Development Control and Promotion Regulations -2034 for Greater Mumbai is proposed to be added :—

33(26) Redevelopment of existing society & tenanted buildings falling in Funnel Zone of Mumbai Airport.

This regulation shall be applicable to the redevelopment of buildings of existing societies & tenanted building, falling in the Funnel of Mumbai Airport situated in Residential/ Commercial zones having certain restrictions on development due to proximity to the Airport. In such restricted areas the applicant shall submit the proposal under this regulation with justification, hardship caused and planning constraints to consume full FSI potential as permissible along with the necessary documents, etc. in support. The Municipal Commissioner on verification and satisfaction regarding the hardship/planning constraints may approve proposal under this regulation subject to following :—

(1) The maximum permissible FSI on the plot shall be the as per Regulation 30, Table 12A.

(2) The fungible FSI permissible as per Regulation 31(3) shall be allowed as per the provisions of the respective regulation.

(3) If due to height restriction basic FSI / existing authorized built up area cannot be consumed on the said plot due to which if the building is constructed with built up area less than zonal permissible FSI or the existing authorized built up area, the TDR to the extent of un-consumed built up area shall be granted to the owner after grant of full occupation to the building.

(4) Notwithstanding anything contained in these Regulations, the payment of premium at the rate of 60% of normal premium of the land rates as per ASR (for FSI 1), shall apply *i.e.* for premium for open space deficiency and for allowing area of staircase, lift, lift lobby free of F.S.I.

(5) This regulation shall be applicable for redevelopment of existing authorized buildings which are of thirty years of age or more.

(*Explanation* :— Age of a building shall be as on the 1st of January of the year in which a complete redevelopment proposal is submitted to the Commissioner and shall be calculated from the date of Occupation Certificate or alternately, from the first date of assessment as per the property tax record in respect of such building or building on which balance/admissible FSI has been consumed by way of vertical extension as per then prevailing Regulation, available with the MCGM.)

(6) The proposal under this regulation shall not be allowed in combination with the any other provisions under these regulations.

(7) This provision shall be applicable only for building in the funnel of Mumbai Airport whose height is restricted to 18 m. or less.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,

निर्मलकुमार चौधरी,
शासनाचे उप सचिव.

URBAN DEVELOPMENT DEPARTMENT

Mantralaya, Mumbai 400 032, dated 28th March 2025.

NOTICE

MAHARASHTRA REGIONAL & TOWN PLANNING ACT, 1966.

No. TPB- 4319/304/C.R.13/2022/UD-11.—Whereas, the Municipal Corporation of Greater Mumbai is the Planning Authority for the area within its jurisdiction (hereinafter referred to as “ the said Corporation”) as per the provision of Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as “ the said Act ”) ;

And whereas, in exercise of the powers conferred by sub-section (1) of Section 31 of the said Act, the State Government *vide* Notification No. TPB-4317/629/CR-118/2017/DP/UD-11, dated 8th May 2018 (hereinafter referred to as “the said Notification”) has accorded sanction to the Draft Development Plan-2034 of Greater Mumbai along with the Development Control and Promotion Regulations-2034 (hereinafter referred to as “ the said Regulations ”) for Greater Mumbai with modifications shown in SCHEDULE-A appended to the said Notification excluding the substantial modifications as shown in SCHEDULE-B appended to the said Notification. And whereas, Government has issued corrigendum of even number dated 22nd June 2018 ; And whereas, thereafter Government has issued a Corrigendum and Addendum of even number dated 29th June 2018 to the said Notification, which is published in *Government Gazette* dated 30th June 2018 ; and whereas, the said regulation have come in force from 1st September 2018 ; And whereas, the Government of Maharashtra *vide* Notification dt. 21st September 2018 has sanctioned EP-1 to EP-168 (Excluding certain EP and provisions which were kept in abeyance) in the said Regulations. And whereas, the Government of Maharashtra *vide* Notification dated 12th November 2018 has issued corrigendum in respect of some typographical errors and mistakes and also to clarify and co-relate certain provisions of said Regulations for its proper interpretation ;

And whereas, in accordance with the requests made by local representatives and citizens regarding the redevelopment of buildings affected by height restrictions in the Funnel Zone of Chhatrapati Shivaji Maharaj Airport in the said Corporation area, the then Commissioner of the said Corporation formed a committee on 12th December 2018 ; And whereas, the committee submitted its report to the said Corporation, and accordingly the Urban Development Department received a letter dated 9th September 2019 from the Commissioner of the said Corporation ; And whereas in accordance with the aforementioned letter, the report from the Directorate of Town Planning was received through a letter dated 30th December 2020 ;

And whereas, to facilitate the redevelopment of areas that are restricted for development due to the existence of airport funnel zones in the Mumbai area and other such restrictions, as mentioned in Schedule appended with this Notice, the Government is of the opinion, it is necessary to add new Provision No. 26 in Regulation 33 of the said Regulation (hereinafter referred as “ the Proposed modification ”) ;

Now, therefore, after considering the above facts and circumstances and in exercise of the powers conferred by sub-section (1AA) of Section 37 of the said Act ; and of all other powers enabling it in this behalf, Government hereby publishes a Notice for inviting objections/ suggestions from any persons with respect to proposed modification, as required by clause (a) of sub-section (1AA) of Section 37 of the said Act, for information of all persons likely to be affected thereby. The Government is further pleased to inform that any objections/ suggestions in respect of the proposed modification mentioned in the Schedule attached herewith may be forwarded, before the expiry of one month from the date of publication of this Notice in the *Maharashtra Government Gazette*, to the Deputy Director of Town Planning, Greater Mumbai, having his office at ENSA Hutments, E-Block, Azad Maidan, Mahapalika Marg, Mumbai 400 001. Any objections or suggestions, which

may be received within the said period will be dealt with in accordance with the provisions of sub-section (1AA) of Section 37 of the said Act by the Deputy Director of Town Planning, Greater Mumbai, who is hereby authorized under the said Act as an “ officer ” on the behalf of Government to hear objections / suggestions which are received and say of the said Corporation, as the case may be and submit his report to the Government.

This Notice under sub-section (1AA) of Section 37 of the said Act shall also be available on the Govt. of Maharashtra website: www.maharashtra.gov.in (Acts/Rules)

SCHEDULE

Accompaniment to the Government in Urban Development Department Notice No. TPB- 4319/304/C.R.13/2022/UD-11, dated 28th March, 2025.

Proposed Modification

The following New provision in Regulation 33 of Development Control and Promotion Regulations -2034 for Greater Mumbai is proposed to be added :—

33(26) Redevelopment of existing society & tenanted buildings falling in Funnel Zone of Mumbai Airport.

This regulation shall be applicable to the redevelopment of buildings of existing societies & tenanted building, falling in the Funnel of Mumbai Airport situated in Residential/ Commercial zones having certain restrictions on development due to proximity to the Airport. In such restricted areas the applicant shall submit the proposal under this regulation with justification, hardship caused and planning constraints to consume full FSI potential as permissible along with the necessary documents, etc. in support. The Municipal Commissioner on verification and satisfaction regarding the hardship/planning constraints may approve proposal under this regulation subject to following :—

(1) The maximum permissible FSI on the plot shall be the as per Regulation 30, Table 12A.

(2) The fungible FSI permissible as per Regulation 31(3) shall be allowed as per the provisions of the respective regulation.

(3) If due to height restriction basic FSI / existing authorized built up area cannot be consumed on the said plot due to which if the building is constructed with built up area less than zonal permissible FSI or the existing authorized built up area, the TDR to the extent of un-consumed built up area shall be granted to the owner after grant of full occupation to the building.

(4) Notwithstanding anything contained in these Regulations, the payment of premium at the rate of 60% of normal premium of the land rates as per ASR (for FSI 1), shall apply *i.e.* for premium for open space deficiency and for allowing area of staircase, lift, lift lobby free of F.S.I.

(5) This regulation shall be applicable for redevelopment of existing authorized buildings which are of thirty years of age or more.

(*Explanation* : - Age of a building shall be as on the 1st of January of the year in which a complete redevelopment proposal is submitted to the Commissioner and shall be calculated from the date of Occupation Certificate or alternately, from the first date of assessment as per the property tax record in respect of such building or building on which balance/admissible FSI has been consumed by way of vertical extension as per then prevailing Regulation, available with the MCGM.)

(6) The proposal under this regulation shall not be allowed in combination with the any other provisions under these regulations.

(7) This provision shall be applicable only for building in the funnel of Mumbai Airport whose height is restricted to 18 m. or less.

By order and in the name of the Governor of Maharashtra,

NIRMALKUMAR CHAUDHARI,
Deputy Secretary to Government.